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Report of the Special Rapporteur on the human rights of internally displaced persons on his mission to Nigeria

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the report of the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, on his mission to Nigeria from 23 to 26 August 2016.

The insurgency by Jama'atu Ahlus-Sunna Lidda'Awati Wal Jihad (Boko Haram) in north-east Nigeria and the Government's counter-insurgency operations have killed thousands of civilians and led to the internal displacement of over 2 million people, the vast majority in Borno State. The terror campaign by Boko Haram has led to the utter destruction of towns and villages and the homes and livelihoods of affected populations. As areas have been recovered following offensives by Nigerian security forces and the Multinational Joint Task Force, the full extent of the human suffering and humanitarian crisis has been revealed, with severe levels of malnutrition and food insecurity threatening the lives of tens of thousands, particularly children. Although the Nigerian security forces have made significant gains, Boko Haram remains a menacing presence causing further displacement, hampering safe returns and severely impeding humanitarian access.

In December 2016, the situation in the north-east was described by the United Nations as the largest humanitarian crisis in Africa. Urgent action is required to save lives in the short-term emergency phase, and to begin the difficult process of recovery. Ensuring access by humanitarian partners and that urgent food, shelter, medical care, water and sanitation and other essential services reach internally displaced persons and others in need without delay must be the highest priority. Equally, ensuring the protection of vulnerable internally displaced persons, many traumatized by violence, fear, starvation and displacement, must be a paramount concern. Evidence of widespread human rights violations in the north-east by non-State armed groups and State actors means that the situation must also be recognized as a human rights crisis.

Camps for internally displaced persons have been targeted by Boko Haram, and many such persons have been killed as a result of military operations. Internally displaced persons are highly vulnerable and a high percentage of them are women and children. Urgent action is needed to address an epidemic of exploitation and abuse. Camps for internally displaced persons must be places of safety, yet sexual exploitation and sexual violence, including demands for transactional sex to access food and non-food items are

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commonplace. The risks of human rights violations have been exacerbated by a lack of adequate assistance to internally displaced persons in host communities and camps. The whereabouts of thousands of displaced men and boys remains unclear. Thousands have been killed by Boko Haram or in the context of the counter-insurgency. Many others are detained and must be treated according to international standards. Initiatives to identify the missing and dead should be strengthened.

Report of the Special Rapporteur on the human rights of internally displaced persons on his mission to Nigeria*

Contents

		Page
I.	Introduction	4
II.	Context of internal displacement	5
III.	National legal, policy and institutional responses	6
IV.	Humanitarian challenges	8
	A. Humanitarian access	9
	B. Food security and shelter	9
	C. Access to health care, water and sanitation	11
	D. Education	11
V.	Protection challenges and responses	12
	A. Violations against internally displaced women and girls	13
	B. Child rights and protection concerns	14
	C. Detentions and disappearances	15
VI.	Prospects and essential measures for return and durable solutions	16
VII.	Role of the international community	17
VIII.	Conclusions and recommendations	18
	A. Conclusions	18
	B. Recommendations	18

* Circulated in the language of submission only.

I. Introduction

1. In accordance with his mandate under Human Rights Council resolution 32/11, the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, visited Nigeria from 23 to 26 August 2016 at the invitation of the Federal Government of Nigeria.[1] During his visit, the Special Rapporteur travelled to Abuja, the capital, and to Maiduguri in Borno State, recognized as being at the epicentre of the insurgency by Jama'atu Ahlus-Sunna Lidda'Awati Wal Jihad (Boko Haram) since 2009, which has caused conflict and mass displacement.

2. The objective of the Special Rapporteur's visit was to consult with senior government officials, including those responsible for displacement responses and the military, and other key national and international stakeholders on the main issues concerning internal displacement. He sought to consult on ongoing challenges that Nigeria and its national and international humanitarian and development partners face with regard to internally displaced persons and assistance to them, and to identify humanitarian, human rights and protection concerns facing them and host communities.

3. The Special Rapporteur thanks the Government of Nigeria for its invitation and its cooperation, which he hopes constitutes the beginning of a constructive engagement with the mandate. He also thanks the representatives of the government of Borno State. He is grateful to the United Nations country team, particularly the Office of the United Nations High Commissioner for Refugees (UNHCR), for their support in ensuring the success of his visit. He thanks all other national and international bodies, institutions and individuals he met and who provided valuable information for his visit and analysis.

4. In Maiduguri, the Special Rapporteur consulted with Borno State officials, United Nations agencies, non-governmental organizations (NGOs) and other members of the humanitarian community. He visited several camps for internally displaced persons in the vicinity of Maiduguri to consult with them and those providing assistance to them, and to learn about their situation, needs, protection concerns and expectations. He sought information on the situation of host communities with whom the majority of internally displaced persons are living. He regrets that he was unable to visit camps in remote and newly recovered areas outside Maiduguri where conditions are of particular concern due to the security situation and other access restrictions.

5. The Special Rapporteur was unable to verify some of the allegations contained in the present report due to time and access limitations, and therefore makes no judgment as to the facts in such cases. Nevertheless, he considers the sources to be credible and includes unverified allegations in order to bring them to the attention of the national authorities responsible for investigating and prosecuting human rights violations by State or non-State actors. Some allegations are based on the testimony of individuals who wish to remain anonymous.

6. Other internal displacement situations exist in Nigeria, including due to intercommunal clashes, environmental issues and flooding, and require ongoing attention. The insurgency in the north has particularly affected the livelihoods of pastoralist groups, squeezing them out of grazing areas and trade. That has led to regular tensions between pastoralists and agriculturalists over land and resources. The Special Rapporteur underlines the need for the authorities to establish mechanisms to address the underlying causes of all displacement in the country and to respond to the needs of all internally displaced persons. However, due to the urgent and evolving situation in the north-east, his visit focused on that critical internal displacement situation.

[1] Chaloka Beyani completed his term as Special Rapporteur on 31 October 2016. Cecilia Jimenez-Damary was appointed Special Rapporteur on the human rights of internally displaced persons by the Human Rights Council in September 2016 and assumed the mandate on 1 November 2016.

II. Context of internal displacement

7. The militant Islamic terrorist group known as Boko Haram, loosely translated from the local Hausa language as "Western education is forbidden",[2] emerged in Maiduguri in 2002, promoting an extreme version of Islam under which Muslims are forbidden to take part in activities associated with Western society, and with the goal of establishing a Muslim state or caliphate. Its early activities included denouncing Western influence and corruption among government officials and the police, and recruiting young people in the economically deprived north-east, many of whom were unemployed. It became increasingly militant in character and violent, resulting in a police operation in 2009 in which several members were arrested.

8. That operation resulted in rioting and retaliation by Boko Haram supporters and marked a significant escalation in tensions, leading to the establishment of a joint military task force operation. Hundreds were subsequently killed in clashes with the security forces. Boko Haram's leader, Mohammed Yusuf, was arrested and killed while in detention. That marked the beginning of a campaign of violence under which police stations, government offices, prisons, schools and churches were targets of violent attack. Under a new leader, Abubakar Shekau, killings and bomb attacks were frequent and hit targets in other regions, including the United Nations headquarters in Abuja in August 2011, in which 11 United Nations staff members and 12 others died.

9. In May 2013, a state of emergency was declared across the north-eastern states of Adamawa, Borno and Yobe. Boko Haram changed tactics and took effective control of numerous local government areas. Hundreds of thousands in territories under its control fled in fear for their lives or due to the destruction inflicted. In January 2015, the Government launched a major offensive with forces from Cameroon, Chad and Niger. Throughout 2015 it regained territories, causing militants to retreat to forest strongholds. While the military recovered key urban areas in local government areas and supply routes, many areas outside the capitals of those areas remained susceptible to Boko Haram attack. Boko Haram reverted to terror tactics, using improvised explosive devises, suicide bombs and raids on villages.

10. In mid-2015, the offensive to recover territories began to push Boko Haram further into rural areas, resulting in another wave of large-scale displacement of the civilian population in rural areas, which was displaced to military-run camps in or near army barracks in Bama, Banki, Benisheik, Bui, Damboa, Dikwa, Gambaru, Gwoza, Monguno and Ngala. Hundreds of thousands of people were displaced to areas under government control, often on the instruction of the liberating forces and in what some described as part of a population "clearance operation". Violence forced more than 736,000 people from their homes in Nigeria in 2015 alone, more than in any other African country.[3] Lacking humanitarian assistance, the condition of those in camps frequently deteriorated and malnutrition rates increased. However, the full gravity and extent of the crisis began to come to light only in 2016 as humanitarian actors gained access to sites where internally displaced persons were living.

11. The civilian population has borne the brunt of the insurgency and conflict. More than 20,000 people have been killed and, at the time of the Special Rapporteur's visit, according to the data available, there were more than 2.2 million persons in the country who had been internally displaced as a result of the conflict with Boko Haram, 1.4 million of them in Borno State. Some 186,000 took refuge in neighbouring Cameroon, Chad and Niger.[4] As of August 2016, the National Emergency Management Agency has been

[2] The official name in Arabic, Jama'atu Ahlus-Sunna Lidda'Awati Wal Jihad, means "people committed to the propagation of the Prophet's teachings and jihad".

[3] See http://internal-displacement.org/assets/publications/2016/2016-Africa-Report/20161209-IDMC-Africa-report-web-en.pdf.

[4] At the time of the visit, 106,000 Nigerians had returned to Nigeria, some under conditions that did not meet international standards. The Government and its humanitarian partners had started developing a tripartite arrangement to facilitate the return of Nigerian refugees. The Lake Chad Basin Regional

managing 15 official camps for internally displaced persons in the newly recovered and accessible areas around Borno State, containing over 300,000 such persons. There are several other non-official camps and camp-like settlements in Adamawa and Borno.

12. One humanitarian official described Maiduguri as a city of internally displaced persons in which they are "present in every corner" and placing a huge strain on the city's services. At the time of the Special Rapporteur's visit, some 640,000 internally displaced persons were estimated to be located within the Maiduguri city area in organized camps, with host communities or in informal settlements. Authorities located internally displaced persons in camps around the city and in State housing projects, national youth centres and schools, in order to avoid makeshift shelters and camps emerging. Some small camps around the city had swelled over the weeks to hold tens of thousands of internally displaced persons. Nevertheless some 81 per cent of them were living with host communities and sources noted that there was no coordinated or coherent out-of-camp humanitarian strategy in place.

13. Boko Haram completely destroyed many areas and villages it occupied and burned homes, public buildings and infrastructure, including in the towns of Baga, Bama, Dikwa and Gwoza. Some internally displaced persons from Maiduguri have "returned" to local government area capitals and urban centres. However, sources indicated that those returns were neither entirely safe nor sustainable. Return to places of origin will therefore take time and require significant reconstruction and support, while Boko Haram remains active in numerous areas and continues to pose a significant security threat.

14. The root causes of the crisis include economic neglect, poor education, social inequality, deficits in good governance, unemployment, the effects of climate change, particularly in the Lake Chad Basin, poverty and deprivation in the region, which have been factors in the rise of radicalization. Combating the underlying structural issues will be essential to future stability and to preventing reoccurrence of the crisis. Some interviewees noted that the extent of the influence of Boko Haram in the underdeveloped region was such that a military solution would be difficult to achieve. Broader development of the north-east alongside long-term deradicalization, prevention of violent extremisms, demobilization and reintegration programmes will therefore be critical.

III. National legal, policy and institutional responses

15. Numerous government institutions have been assigned roles in addressing the needs and protection of internally displaced persons at both the federal and state levels and are responding to the extent of their limited resources and capacity. Key among them are the National Emergency Management Agency and its state counterparts, the State Emergency Management Agencies, which have been at the forefront of the Government's humanitarian crisis response and in the provision and delivery of food and non-food items, in collaboration with their national and international partners. In addition, bodies including the National Commission for Refugees, Migrants and Internally Displaced Persons and the National Human Rights Commission have contributed to responses. The Presidential Initiative for the North-east was set up in November 2014 to support reconstruction, recovery and economic development.

16. An interministerial task force and a high-level humanitarian coordination group, as well as the Borno State Humanitarian Response Committee, have also been established to assist in response coordination. Borno State has established the state-level Ministry of Rehabilitation, Reconstruction and Resettlement to support the construction of shelters and implement other recovery projects, particularly in the newly recovered areas. The Adamawa State government has also established a committee on return and durable solutions. At the federal level, the Ministry of Women and Social Development has been

Protection Dialogue, held in June 2016, resulted in actionable recommendations including on the protection of internally displaced persons and refugees.

involved in responding to the particular needs of internally displaced women and girls, and other ministries continue to contribute sectoral responses.

17. Essential elements of an effective national response are absent, notably legislative and policy frameworks on internal displacement that are in accordance with international standards, including the 1998 Guiding Principles on Internal Displacement and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention). They are urgently required to guide and inform responses and establish the rights of internally displaced persons and the obligations of the national authorities in domestic law. Such legislative and policy frameworks would have a crucial role to establish guidelines on interventions for recovery and durable solutions, to create much-needed clarity regarding the roles and responsibilities of different bodies and agencies and to ensure coordination, as well as establishing and guaranteeing budgets for humanitarian and development initiatives. Existing laws and policies, including the bill establishing the National Emergency Management Agency, are not sufficient to address the challenges facing internally displaced persons.

18. The Government of Nigeria was an active participant in shaping the 2009 Kampala Convention, and ratified it in 2012. The House of Peoples' Representatives has also established the first parliamentarian committee on internally displaced persons, refugees and the North-east Initiative. One of the requirements of States parties to the Convention is to domesticate its provisions into national law. A bill to domesticate the Convention was before the Parliament at the time of the Special Rapporteur's visit, but had yet to be passed into law. Equally, a draft policy on internally displaced persons, approved at the level of the Attorney General, has been in development for over 10 years without being adopted. However, the National Commission on Refugees, Migrants and Internally Displaced Persons has recently reactivated the process of reviewing the draft policy.

19. Gathering of baseline data and registration of internally displaced persons living in camps and host communities is being conducted by the International Organization for Migration (IOM) in collaboration with the National Emergency Management Agency and the State Emergency Management Agencies in Adamawa, Borno and Yobe States, with the aim of ensuring appropriate administration and distribution of assistance, including cash transfers. UNHCR and its partners have also conducted profiling of the most vulnerable internally displaced persons. It has partnered with the National Immigration Services to register returnee refugees. Information collected will contribute to the provision of a comprehensive profile of the internally displaced population to be shared with relevant stakeholders and contribute towards identifying the needs of the displaced and developing interventions for providing them with the necessary assistance.

20. While ongoing Displacement Tracking Matrix, vulnerability screening and protection assessments are commendable, the need for accurate and disaggregated data, including in return areas, remains acute. Without a consistent and reliable system of data collection, data varies from source to source. There is an urgent need to conduct detailed profiling and needs assessments of the most vulnerable internally displaced persons, both within and outside camps, and of those who are moving back to local government area capitals and urban centres, in order to identify the protection needs of, in particular, unaccompanied children, older persons, survivors of violence and abduction and persons with disabilities. Data gathering and analysis is especially vital in newly recovered areas where the needs are greatest.

21. According to IOM, the vast majority of internally displaced persons who have been registered live in host communities where little or no assistance had been provided. Digitization of registration will be an important step. The Special Rapporteur was informed that a persistent problem is that the majority of internally displaced persons lack personal identification documentation, which may have been lost or confiscated. Research has revealed that the problem is widespread among internally displaced persons and may hamper their registration, access to assistance and service provision and freedom of movement. The Government of Nigeria reportedly lowered the priority of the issue of documentation, however the Special Rapporteur emphasized the importance of replacing personal documentation as soon as possible, as well as ensuring that civil registration of

events such as births, marriages and deaths was completed and the relevant certificates provided systematically.

22. The military currently manages the security of sites for internally displaced persons in newly recovered areas and carries out the delivery of humanitarian assistance, partly due to the security environment and the absence of other humanitarian partners in conflict affected areas. It is consequently assisting in the provision of essential assistance and providing basic service functions, including education facilities. While military commanders stated that security forces are not involved in camp administration, they fill gaps where needed alongside their role in security and information gathering. The Special Rapporteur emphasized that camps for internally displaced persons should always be of civilian character and that a swift transition to civilian administration was essential. There is a civil-military coordination mechanism supporting exchange of information between the military and humanitarian actors.

23. Government officials stated that Nigeria lacked experience of a humanitarian and displacement crisis of the current scale. Humanitarian partners described government-led responses as too little too late, while existing institutional bodies were described as ad hoc, fragmented, lacking coordination and demonstrating institutional rivalry. One described the National Emergency Management Agency as "called upon to do everything, but stretched too thin". One official noted that the Agency had not received additional resources to respond to the humanitarian crisis. That view was widely shared by state-level actors, who often felt ignored and lacked involvement in the activities of the Presidential Committee on North-east Interventions and other federal initiatives. Numerous stakeholders stated that greater coordination and clarity regarding roles was required across institutions and in their partnerships with other national and international partners.

24. Allegations of fraud and misappropriation of funds had been made against the Presidential Initiative for the North-east, leading to an inquiry by a Senate ad hoc committee.[5] Allegations had been reported of officials and camp authorities diverting and selling food and non-food items including medicines, toiletries and bedding meant for internally displaced persons. The Special Rapporteur was also informed of instances in which registration cards issued to internally displaced persons had been confiscated and sold to others or used as leverage for extortion or abuse. All such allegations should be fully and independently investigated and, if shown to be true, those responsible prosecuted to ensure confidence, including among the international donor community, that all funds were properly allocated and accounted for.

IV. Humanitarian challenges

25. The situation in the north-east is the highest category crisis. Reportedly, nearly 7 million people were in need of humanitarian assistance in the aftermath of the insurgency in the three most affected states.[6] In October 2016, the United Nations Deputy Humanitarian Coordinator and Humanitarian Coordinator ad interim warned that Nigeria was facing the worst humanitarian crisis on the African continent.[7] United Nations estimates suggested that nearly 400,000 children were facing starvation if they did not receive urgent access to therapeutic feeding, while many thousands of citizens had little or no access to clean water, health-care assistance, protection, education or food security. The Government was slow to respond to the crisis and to call for assistance from the international community and consequently, the United Nations and international partners have been delayed in scaling up their responses.

26. Some United Nations agencies, including UNHCR, have categorized the crisis internally as the highest possible level of crisis (L3), which requires a higher level of funding and resources to be directed towards the situation. That is an important

[5] See http://allafrica.com/stories/201612070143.html.

[6] See www.unocha.org/nigeria/about-ocha-nigeria/about-crisis.

[7] http://reliefweb.int/sites/reliefweb.int/files/resources/tqa_press_release_dhc_hc_ai_statement_25102016.pdf.

acknowledgment of the gravity of the situation and many are urging a general L3 designation. Having consulted widely and witnessed the challenges facing the Government and the humanitarian community, the Special Rapporteur endorsed that call. At the time of the Special Rapporteur's visit, a decision had been taken to activate seven humanitarian clusters in order to better coordinate the humanitarian response.

A. Humanitarian access

27. While as of August 2016, some 4 million people were thought to be accessible to some extent, that access, especially by international humanitarian actors, was extremely limited in some locations and reliant on helicopters with limited delivery capacity. Humanitarian actors remained concentrated in Maiduguri due to the restricted operational environment or security concerns. Following the Special Rapporteur's visit, some improvements were reportedly made, including the establishment of field-based humanitarian hubs in recovered areas, particularly in Borno State, and of a solutions strategy aimed at supporting humanitarian and development actors.[9] Nevertheless, it is vital to establish a stronger humanitarian presence in newly recovered areas and to secure supply routes. Moreover, humanitarian actors must establish effective partnerships with local actors who enjoy access to and the trust of communities.

28. The region continues to be a highly dangerous security environment in which road travel is frequently unsafe and humanitarian actors are at risk of attack. According to OCHA, over 80 per cent of Borno State was considered high or very high risk for international humanitarian actors, constraining access to desperately vulnerable communities. The dangers faced by humanitarian actors were made evident by United Nations staff who described a targeted ambush attempt on their convoy in July 2016, despite having a military escort.

29. Reports were received that some camps had not received assistance for up to six months. Restrictions were also being imposed on access to internally displaced persons for humanitarian and human rights actors who were not directly involved in the delivery of food, non-food items or other services, for example to conduct monitoring, needs assessments or protection functions. Travel and access restrictions were reportedly applied to NGOs and journalists wishing to visit locations where internally displaced persons were living. Some government officials also engaged in public rhetoric against international NGOs and United Nations humanitarian actors. Sources indicated that internally displaced persons were facing harassment or intimidation to prevent them speaking about their situations, alleged diversion of humanitarian supplies or human rights abuses. The following sections consider some of the most pressing humanitarian and protection challenges.

B. Food security and shelter

30. Following the recovery of numerous areas by security forces, 15 camps were established by the army to house internally displaced persons from those areas. The camps were referred to by some sources as "closed camps" and one said they were "like military internment camps". The camps were established for security reasons due to the conditions in the recovered areas that had been destroyed by Boko Haram and the levels of malnutrition and starvation among the civilian population. One army strategy was to cut supply lines to areas under Boko Haram control, but that had the greatest impact on civilians, who were left starving. Consequently, large areas were depopulated following their recovery, causing a large increase in the number of internally displaced persons. Shelter conditions in some locations are extremely basic and vast shelter needs were reported in order to protect internally displaced persons from the extreme temperatures and heavy rainfall.

[9] Initially, eight hubs will be located in Biama, Bama, Gwa, Damboa, Dikwa, Gambara Ngala, Gwoza and Monguno in Borno State. At least 12 are expected.

31. In July 2016, the World Food Programme, alarmed by the situation, issued a food security alert, stating that a famine could be occurring in the worst affected and less accessible pockets of Borno State and calling for a sharp increase in food assistance.[9] The food security requirements identified in the Nigerian 2016 Humanitarian Response Plan had been only 25 per cent funded by the end of October 2016. The Government downplayed the extent of the hunger and malnutrition crisis in late 2016, contradicting warnings from the United Nations. One source stated that internally displaced persons in some camps that were officially receiving food assistance were not receiving the minimum nutritional requirement and some were resorting to eating boiled leaves.

32. Internally displaced persons, including children, were reportedly dying of starvation on a daily basis in some camps that were difficult to reach by humanitarian actors. The United Nations stated in July 2016 that some 250,000 children may be suffering from severe and life-threatening malnutrition.[10] Even in camps for internally displaced persons around Maiduguri, where humanitarian access was good, demonstrations were held during the Special Rapporteur's visit to complain about poor provision of food. Internally displaced persons in over 20 camps around Maiduguri were left hungry due to shortages of supplies, with many surviving on only one basic meal a day. In April 2016, a joint United Nations assessment estimated that over 500,000 people required immediate food assistance in and around Maiduguri. A survey conducted in late May confirmed that roughly 60 per cent of internally displaced persons were malnourished. In June 2016, the United Nations Children's Fund (UNICEF) screened 3,230 children in the Muna camp for internally displaced persons near Maiduguri and found that 29 per cent of them were malnourished, 6 per cent severely.

33. According to the Famine Early Warning System Network, it was likely that famine had occurred in 2016 in the towns of Bama and Banki, and in other rural areas where conditions were similar. Some 2,000 famine-related deaths might have occurred in Bama local government area between January and September 2016. Assistance had since improved conditions in accessible areas, reducing mortality and the prevalence of acute malnutrition, although improvements were tenuous and depended on the continued delivery of assistance. Food assistance might be preventing famine in other areas with internally displaced persons. However, large areas of Borno State remained inaccessible to all civilian actors, including humanitarian partners, and given the severity of food insecurity observed in the adjacent areas that humanitarians could reach, it was possible that famine was ongoing in inaccessible parts of Borno State and millions of people were likely to remain severely food insecure.[11]

34. According to some commentators, the Government did not have the required food provisions in place to respond adequately to needs, which amounted to some 40,000 metric tons of food per month to cover only the existing camps for internally displaced persons. An underestimation of the extent of the crisis meant that supplies were initially insufficient to meet demand. The Government was also late to call for international assistance, with the World Food Programme receiving permission to operate in the region only in March 2016.

35. Over 100,000 people were benefiting from money received from the World Food Programme through a system that delivers credit to mobile phones, which can then be exchanged for food at markets. However, not everyone in need is covered by the scheme and the Special Rapporteur noted that care should be taken to ensure fairness and avoid creating tension, for example where members of host communities do not receive such cash assistance. The situation of host families and communities must be taken into account in view of their important and generous role in supporting the vast majority of internally displaced persons. The Special Rapporteur was informed that tensions were emerging as the duration of the displacement increased. Support to host communities must be a factor in all humanitarian responses.

[9] See http://documents.wfp.org/stellent/groups/public/documents/ena/wfp285255.pdf?_ga=1.58799403.761427966.1481126444.

[10] See www.unicef.org/media/media_91911.html.

[11] See www.fews.net/west-africa/nigeria/special-report/december-13-2016.

C. Access to health care, water and sanitation

36. Access to medical care is severely limited and medical facilities require urgent improvement. The greatest demand is in inaccessible and newly recovered areas and camps for internally displaced persons. As areas were recovered from Boko Haram, it became evident that the majority of health facilities had been damaged or destroyed and either ceased to function completely or continued to the best of their ability with few staff and medical supplies available. Many health-care workers fled or were killed or abducted. That left many in the north-east, including internally displaced persons, cut off from government services and with urgent and untreated health issues. Many have survived without adequate health-care provision for months on end. Many internally displaced persons, particularly women and children, require urgent treatment for malnutrition.

37. Women and children are particularly vulnerable and medical needs in general are high. Cramped and unhygienic conditions lead to communicable diseases and the health-care needs of many, including pregnant women and infants, were not being met. Some pregnant women reportedly had to walk several kilometres in searing heat to seek medical attention. United Nations staff noted high mortality rates in some camps. Due to the living conditions and the onset of the rainy season, medical providers were treating diarrhoea, malaria and respiratory infections, as well as malnourished children. New cases of poliomyelitis and outbreaks of measles were identified and the World Health Organization was conducting vaccination campaigns. Water, sanitation and hygiene infrastructure needs to be urgently rehabilitated in newly accessible local government areas to minimize waterborne diseases.

38. Many internally displaced persons are suffering from trauma due to the violence that prompted them to flee. The majority of internally displaced persons surveyed reported the presence of persons who had been released from abduction by Boko Haram. Some, including children, witnessed and suffered severe abuse or were forced to fight. Some described the killing of their parents and other family members in front of them. Women and girls were forcibly married to Boko Haram fighters and gave birth to babies from such unions. They require psychosocial support to deal with their trauma. However that support was largely absent at the time of the Special Rapporteur's visit, particularly in newly recovered areas and camps for internally displaced persons in those areas.

39. Reports indicated that there was a desperate need for hygiene kits for women and girls as there were few stocks or provision of items such as sanitary towels. In view of the reportedly high levels of sexual abuse, rape, survival sex and survival prostitution that have been reported in camps for internally displaced persons and other locations, the risk of the spread of HIV and other sexually transmitted diseases has increased and should be closely monitored. Equally, it is likely that some people with chronic illnesses, including HIV, diabetes and other conditions, have not been able to access essential medication for months and require urgent attention.

D. Education

40. An estimated 3 million children affected by the insurgency have been out of formal education for months or even years as schools were destroyed and teachers fled or were killed. While the region already lagged behind in terms of school enrolment and attendance, particularly for girls, hundreds of thousands of children have been denied access to safe learning spaces after 1,200 schools were destroyed by Boko Haram. Some people expressed fears of a lost generation of displaced or abducted children who have had little or no access to education.

41. In 106 sites for internally displaced persons accessed by IOM for the Displacement Tracking Matrix, 67 had facilities for formal or informal education. In 35 additional sites assessed, none of the children were attending school, while in a further 24 sites, less than 25 per cent of children were attending school. Nevertheless, for some children, camps for internally displaced persons provide their first access to any formal education in a considerable time. Internal displacement has led to overcrowding in schools in host

communities. Schools are also frequently used as shelters for internally displaced persons, which also has an impact on the access to education of those in host communities. Save the Children UK highlighted the fact that, by the end of October 2016, less than one fifth of a limited $23 million education appeal had been resourced.[12]

V. Protection challenges and responses

42. At the time of the Special Rapporteur's visit, the protection sector was only 12 per cent funded. While a series of vital protection assessments have been carried out, a deeper and ongoing understanding of the protection issues faced by internally displaced persons and other affected populations is needed. The Protection Sector Working Group in Nigeria conducted a rapid protection assessment in liberated local government areas in Borno State in May 2016,[13] as the security situation improved, which concluded that the protection crisis in Borno State remained severe, with a significant level of protection needs and risks unaddressed. Many internally displaced persons are reliant on humanitarian assistance, while lack of access to livelihoods and resources for those in camps and in host communities results in negative coping strategies among internally displaced persons and host communities, including exploitation and survival sex. The Special Rapporteur was informed of allegations that some internally displaced persons faced extortion in every phase of their displacement experience.

43. Some internally displaced persons would allegedly be required to pay to enter camps for internally displaced persons and to access shelters or materials. Sources reported that the military and the Civilian Joint Task Force exerted total control over internally displaced persons in some locations outside Maiduguri and that unchecked restrictions and lack of essential monitoring had created the conditions for widespread harassment, extortion, exploitation and abuse. It is vital that protection actors obtain access to all locations and strengthen their mechanism for systematic and effective protection monitoring with a view to supporting robust responses. Of particular concern are the protection challenges faced by the most vulnerable, including women and girls, unaccompanied children, older persons, persons with disabilities, and those who have been deeply traumatized by violence, brutality, starvation and displacement.

44. Numerous partners raised the role of the Civilian Joint Task Force in the humanitarian response as a particular cause for concern. The Civilian Joint Task Force had emerged as a volunteer militia and local-level response to Boko Haram and played an armed community defence role alongside, and frequently in the absence of, the Nigerian security forces. Some Task Force members had been absorbed into military structures and received basic training and salaries. With the recent offensives, some had found new roles in the humanitarian response, with members exercising authority and providing management functions in camps for internally displaced persons. The Special Rapporteur was concerned about their status and training, as partners described them as lacking the discipline and training of regular security forces. As such, they did not constitute a civilian administration and should be replaced as soon as possible.

45. The Special Rapporteur heard several allegations that members of the Task Force had been involved in abuse of internally displaced persons, including the sexual abuse of displaced women and girls. Other allegations included the arbitrary arrest, detention and execution of civilians, including internally displaced persons, in areas without civil authorities present. One interviewee stated that Task Force members would try to extort internally displaced persons with the threat that if they did not pay, they would be accused of membership of Boko Haram. One source stated that cells existed in some camps for internally displaced persons in which individuals could be held and beaten or deprived of

[12] Save the Children UK, "North East Nigeria: children's lives and futures at risk", p. 7. Available at www.savethechildren.org.uk/sites/default/files/images/North_East_Nigeria.pdf.

[13] See Protection Sector Working Group, Nigeria, and UNHCR, "Rapid protection assessment report: Borno State, Nigeria". Available at http://reliefweb.int/sites/reliefweb.int/files/resources/rapid_protection_assessment_report_pswg_borno_may_2016.pdf.

food and water for minor infractions or failure to comply with the military or the Task Force.

46. In half of the sites surveyed for the rapid protection assessment, internally displaced persons reported other physical violence in addition to sexual violence. There had been incidents resulting from tensions between persons who had been displaced from different ethnic groups or areas of origin. Fighting and physical violence occurred in the context of food distribution, often relating to food shortages. Tensions between internally displaced persons and host communities occurred in several locations as the duration of displacement increased, leading to pressure on communities for cash, food and space. Some internally displaced persons were reportedly told, "This is not your place, this is our place", and experienced difficulty accessing water sources. Reports were received of exploitation of internally displaced persons by host communities, including forced labour, early or forced marriage or sexual and gender-based violence, particularly against internally displaced persons who could not contribute financially.

47. In 11 of the 26 sites surveyed, internally displaced persons described discrimination in access to assistance, with majority populations favouring their own tribal group or those from their own local government area. Some elderly and disabled persons reported physical difficulties queueing for assistance or their exclusion from queues and they asked for separate facilities.

A. Violations against internally displaced women and girls

48. Many camps for internally displaced persons are the settings for sexual exploitation, survival sex and organized prostitution, as well as sexual harassment and rape. One source stated that "transactional sex is the only option that many households have". Women and girls are reportedly coerced into providing sex for food rations or moving outside camps. There is a high number of pregnancies, including among young girls, and forced or coerced early marriages are reportedly increasing to prevent social stigma relating to pregnancy outside of marriage. In camps visited by the Special Rapporteur, food distribution was under the authority of males, creating the conditions for sexual abuse due to scarcity of food.

49. A group of three Special Rapporteurs with mandates relating to health, children and slavery visited Maiduguri in January 2016 and found evidence of sexual abuse and other major protection concerns (see A/HRC/32/32/Add.2). Over six months later, the Special Rapporteur found no improvement in the situation. In a rapid protection assessment in camps in Borno State,[14] internally displaced persons reported sexual exploitation in 14 out of 26 sites. In nearly all camps surveyed, survival sex was reported by women and girls in exchange for food, permission to leave camps with restricted movement policies, and in exchange for money. One woman interviewed by protection monitors reported that half the women she knew had had to sleep with service providers in exchange for food assistance. Focus groups in some locations reported instances of rape and sexual abuse, often by those in authority, of women or girls going to bathe or collect water. Lack of lighting in bathing areas and their location away from safe areas reportedly made women and girls vulnerable.

50. The Special Rapporteur found that civil authorities and the military downplayed the issue of sexual abuse and the complicity of security and camp officials. One senior National Emergency Management Agency official stated that "it has never come to our knowledge" and described allegations as "maybe a cultural issue". Ministry of Justice officials at the federal and state levels noted that there were national laws in place to protect individuals, including the Violence Against Persons (Prohibition) Act, 2015. The Special Rapporteur emphasized that such laws and the existing complaint mechanisms were insufficient to protect displaced women and girls from violence or to achieve legal redress in the context of the crisis. Since his visit, members of the military and the police have reportedly been imprisoned on allegations of involvement in abuse and exploitation.

[14] See Protection Sector Working Group, Nigeria, and UNHCR, "Rapid protection assessment report: Borno State, Nigeria".

51. The vulnerability of women and girls to human rights violation has been exacerbated by a lack of adequate assistance to internally displaced persons in host communities and camps. Equally, in displacement environments where male family members are largely absent, the normal social fabric has broken down, leaving women and girls highly vulnerable. Violations are particularly prevalent in camps for internally displaced persons in newly liberated areas, where access by trained humanitarian actors remains difficult or restricted. The Special Rapporteur expressed the concern that sexual exploitation and violence constitute a hidden epidemic with fear, stigma and impunity for perpetrators leading to underreporting of abuse to the authorities.

52. The Protection Sector Working Group in Nigeria emphasized that, when camps for internally displaced persons were manned by military or paramilitary personnel, there was an "inevitable reduction of protection space".[15] Camps must quickly come under trained civilian management and community-based protection and camp management systems must be put in place, while security forces should provide guarantees of security in areas that remain at risk from Boko Haram or other security threats. Humanitarian partners stated that protection measures must be taken urgently and include ensuring that women have leadership, food distribution and camp management roles. Equally, measures must be put in place to ensure appropriate civilian authority, including improving human rights and humanitarian training of security forces and civilian authorities.

53. Forced displacement, detention and kidnapping of women and girls has been a feature of Boko Haram's violence, notably in the case of the abduction of the Chibok girls. Numerous other cases have been less widely reported; at least 2,000 women and girls were thought to have been kidnapped between January 2014 and April 2015.[16] Their plight has been one of rape and sexual violence, forced marriage to their captors and childbirth, or forced labour. Their trauma and stigmatization must not be underestimated and their immediate and long-term support and reintegration into families and communities must be a high priority. However, reports suggest that little assistance, including specialist psychosocial support is available for victims of sexual abuse, violence and other human rights violations, particularly for those outside camps.

B. Child rights and protection concerns

54. The challenges facing children are particularly acute and many have suffered or witnessed abuses under Boko Haram. At the time of the Special Rapporteur's visit, vulnerability screenings had identified some 20,000 unaccompanied and separated children. Research and estimates achieved through the IOM Displacement Tracking Matrix have established that some 54 per cent of the internally displaced persons are children under 18 years of age, with more than half being under 5 years old. A condition of residence in some camps for internally displaced persons has reportedly been the separation of boys from their mothers and siblings and their housing in accommodation for adult men, which may create protection concerns.

55. Many children have been killed, maimed and abducted by Boko Haram, which has recruited and used boys and girls for active hostilities, according to a September 2015 report of the Office of the United Nations High Commissioner for Human Rights (OHCHR) into violations and abuses committed by the terror group (A/HRC/30/67). OHCHR and other human rights groups that interviewed children who have been freed or have escaped described most of them as deeply traumatized, having been forced to fight and experience sexual violence and exploitation, or having witnessed atrocities. Boko Haram systematically abducted children from towns and villages it captured or raided, including the alleged abduction of 300 children from Damasak near the border with Niger.

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[15] Protection Sector Working Group, Nigeria, and UNHCR, "Rapid protection assessment report: Borno State, Nigeria", p. 25.

[16] See Chitra Nagarajan, "Don't forget the girls kidnapped in Nigeria: they need help more than ever", *Guardian*, 16 February 2016. Available at www.theguardian.com/commentisfree/2016/feb/16/kidnapped-boko-haram-girls-women-nigeria.

56. One interviewee stated that, as there was no database, the Government did not know how many girls were still in the hands of Boko Haram. Others suggested that thousands of boys had been abducted or coerced into joining the militants and exposed to abuse or forced to fight. Those who escaped or were released are frequently displaced and unable to return to their homes. They face challenges reintegrating into families and communities due to stigmatization and discrimination. A government initiative entitled Operation Safe Corridor is aimed at deradicalizing and reintegrating former fighters into their communities. Some projects aimed at working to reunite separated families and children, including the Restoring Family Links programme conducted with the International Committee of the Red Cross and national partners, have successfully reunited hundreds of unaccompanied children with their relatives.[17] However, the levels and duration of psychosocial support remain inadequate or non-existent in most locations.

57. Credible reports highlight the fact that displaced children were detained during counter-terrorism operations, some for long periods. Some reports have alleged that young boys and some girls suspected of Boko Haram affiliation have been held in appalling conditions in detention facilities, including some 120 children held in Giwa Barracks in Maiduguri. An Amnesty International report alleges that between January and April 2016, 149 people, including 11 children and babies as young as 5 months old, died at the detention facility.[18] The Nigerian authorities deny those allegations. Equally, the well-being of children released from detention must be monitored, since they may be unaccompanied, severely traumatized and ill, and highly vulnerable. While legitimate security concerns exist, it must be recognized that children are victims of Boko Haram who require support and rehabilitation.

C. Detention and disappearances

58. A disturbing demographic picture is evident in camps for internally displaced persons, and the absence of young men of "fighting age" is a cause for concern. Many men and boys have disappeared and their whereabouts are unknown, while many others are reportedly held in detention. Some have been recruited by Boko Haram, while many thousands have reportedly been killed by the militants. One interviewee noted that Boko Haram sometimes killed males over their mid-twenties, while younger men were given the choice to join the group. Many men may have fled, fearing for their lives, either to other regions of Nigeria or across international borders due to the real threat posed to them by Boko Haram or their fear of detention by the security forces. One interviewee stated: "It's hard to be a young man here".

59. The Special Rapporteur was informed of the arrest and detention of suspected Boko Haram members, including from camps for internally displaced persons, sometimes for long periods. Persons leaving newly liberated areas, including women and children, were systematically detained and "screened" by security forces. The perception that internally displaced persons pose a security threat resulted in limitations to their freedom of movement. One interviewee noted that there was a reluctance to deal humanely with captives. The Special Rapporteur was informed that screening was non-transparent, had no legal basis, was conducted in poor detention conditions and that requests from international actors to monitor screenings were denied. Detention conditions were described as overcrowded and there was a lack of food, water and medical assistance. The Special Rapporteur emphasized that detention of internally displaced persons must be fully justified and conducted according to the law and international standards.

60. The Special Rapporteur consulted senior military commanders based in Maiduguri who were in charge of military operations in the north-east. He was informed that legitimate security concerns justified screening and information gathering within and around locations where internally displaced persons were living, in order to protect civilian communities, including internally displaced persons. Asked about the absence of men in the

[17] See www.icrc.org/en/document/nigeria-happy-ending-unlikely-violence-anxiety.

[18] See www.amnestyusa.org/research/reports/if-you-see-it-you-will-cry-life-and-death-in-giwa-barracks.

populations of internally displaced persons, the detention of individuals on security grounds was acknowledged, but the compliance of the security forces with international humanitarian and human rights law was emphasized. The military commander stated that younger men were the demographic that had joined Boko Haram, noting that it was "only natural" that young men would not be found in camps for internally displaced persons, since they would not want to be in such camps and would go elsewhere in the region or to other parts of the country.

61. There is an urgent need to clarify the whereabouts of thousands of young men in north-east Nigeria. The Government, with the support of international partners including the International Committee of the Red Cross, has initiated information and data collection on missing persons. The Special Rapporteur considers that such measures should be strengthened, including through outreach within populations of internally displaced persons, to record all cases of deceased and missing persons and to open cases. There should be a full and independent investigation into possible violations of international humanitarian and human rights law and possible war crimes and crimes against humanity. Any evidence, including mass graves or other sites that are identified, must be protected.

62. Freedom of movement has been restricted for internally displaced persons in some camps with implications for their ability to seek livelihood and income opportunities, leaving many totally reliant on assistance and compliance with the camp authorities, including the army and the Civilian Joint Task Force. Some reports indicated that internally displaced persons faced restrictions on entering Maiduguri, including refusal of passage through checkpoints without a national identity card or payment of extortion money or a fine. Moreover, internally displaced persons outside camps also reportedly faced movement restrictions and were required to pay fees in order to move freely. Other allegations suggested that internally displaced persons would sometimes be told to leave a camp in order for assistance to be diverted elsewhere.

63. The military commander in the region acknowledged restrictions on freedom of movement of internally displaced persons on security grounds, stating that it was not possible to let everyone from camps wander around the city and that the restrictions were for the good of the internally displaced persons who were given passes to go to the towns. The Special Rapporteur emphasizes that camps for internally displaced persons are not detention centres and internally displaced persons' right to freedom of movement and all their human rights must be respected, with proportionate security measures in place.

VI. Prospects and essential measures for return and durable solutions

64. Conditions in many areas recovered from Boko Haram are precarious and not conducive to the return of internally displaced persons and refugees due to insecurity, the destruction of infrastructure and homes and the absence of basic services, which pose acute humanitarian and protection risks. Agriculture and animal husbandry, on which many are dependent for livelihoods, have been severely disrupted.[19] Nevertheless, by August 2016 over 910,000 internally displaced persons had reportedly returned to their areas of origin, particularly in Adamawa State, many during the rainy season for farming purposes.[20] While the authorities were making arrangements for internally displaced persons to return towards their areas of origin, most internally displaced persons, particularly in Borno State, were being placed within local capitals, therefore remaining displaced. The Special Rapporteur emphasized that return should only take place voluntarily and in conditions of security, dignity and with appropriate information and guarantees of safety and support.

[19] The Special Rapporteur received unverified allegations that members of the military and the Civilian Joint Task Force were taking livestock, including from internally displaced persons, and selling them for profit elsewhere, to the extent that they controlled a large proportion of the cattle market. If true, that would have a dramatic effect on communities that relied on livestock for their livelihoods.

[20] IOM Nigeria, "Displacement Tracking Matrix: round 11 report", August 2016. Available at http://goo.gl/EXDeXC.

65. Even where return is possible, many no longer have a home to return to due to the destruction inflicted by Boko Haram. One humanitarian stated: "I drove for two hours without seeing a house standing". Massive investment in rebuilding infrastructure and housing is required. Return is also hampered by unexploded ordnance and booby traps intended to kill or maim. The National Human Rights Commission informed the Special Rapporteur that it had established an Inter-Agency Task Team to ensure voluntary and safe returns and was undertaking assessment visits. While return may be the favoured option for national and state Governments, for some internally displaced persons, local integration or settlement elsewhere may be the most viable and preferred choices. The views and wishes of internally displaced persons must be taken into account, including their right to choose durable solutions appropriate for them.

66. While saving lives remains the highest priority, greater attention to durable solutions and transitional steps are required at the earliest phase. National response bodies such as the National Emergency Management Agency lack capacity or experience and are geared towards emergency responses. Specialist development partners should be engaged at the earliest opportunity and development approaches integrated into the humanitarian phase as soon as possible to promote recovery, build resilience and re-establish livelihoods. At the time of the Special Rapporteur's visit, the early recovery sector had no funds available. Some positive initiatives are under way. The humanitarian country team has developed a durable solution framework in 2015 to promote engagement with humanitarians. Both in Adawama and Borno, the state governments have established committees on return and durable solutions. The Resident Coordinator, with the support of UNHCR and the United Nations Development Programme, is currently developing a return and solution strategy.

67. The Presidential Committee on North-east Interventions was inaugurated in October 2016 as a body charged with coordinating all interventions in the north-east, including those of public, private, national and international development partners. The Committee will be funded by government, private and international development sources for an initial three years and falls under the Presidency. It is responsible for developing the strategy and implementation framework for rebuilding the North-east region and communities ravaged by Boko Haram until a longer-term regional development framework is in place.[21]

VII. Role of the international community

68. The international community has a vital role to play in addressing and resolving the humanitarian crisis in north-east Nigeria. While Nigeria is considered to be a middle income country due to its oil and gas revenues, it is currently undergoing a period of intense economic challenges due to the fall in the oil price. Nevertheless, the extent of the crisis requires it to do better in terms of providing adequate national financial resources to meet the massive needs in the north-east. In December 2016, the United Nations Office for the Coordination of Humanitarian Affairs doubled its humanitarian funding appeal for north-east Nigeria to $1 billion required in 2017 in order to reach some 7 million people that it claims are in desperate need of assistance.

69. At this critical time, the international and donor communities are urged to provide necessary additional support to Nigeria as it confronts an insurgency and a humanitarian and displacement crisis that has regional and potentially global implications and consequences. The humanitarian response was only funded to some 38 per cent of 2016 estimated needs by the end of October 2016. The United Nations and other humanitarian and development partners are hampered in their essential efforts by the significant shortfall in funding across key sectors. Scaling up the response is essential to save lives in the short term, however resources must also be provided for the longer-term challenges of securing durable solutions beyond the emergency response phase.

[21] See http://breaking.com.ng/nigeria/buhari-inaugurates-presidential-committee-on-the-north-east-initiative/.

VIII. Conclusions and recommendations

A. Conclusions

70. **The efforts of the Government and its counterparts in Adamawa, Borno and Yobe States to address the internal displacement crisis in the north-east must be acknowledged and responses have improved. Nevertheless, the situation of internally displaced persons remains grave and responses must be stepped up and better coordinated to meet their urgent needs and those of host communities. The humanitarian crisis has been neglected and its extent significantly underestimated; it required earlier and greater attention from the Government. Credible evidence of widespread human rights violations against internally displaced persons and other members of the civilian population by non-State armed groups and State actors alike require recognition of the situation as a human rights crisis requiring urgent and ongoing measures to protect all civilians from violence and abuse.**

71. **While the responsibility to respond to the immediate and longer-term humanitarian needs and human rights of internally displaced persons lies primarily with the Government, it lacks the capacity, expertise and resources to tackle the displacement crisis alone. The crisis has triggered the establishment of numerous new initiatives and national bodies. They are welcomed, but they must have clear mandates and responsibilities, be coordinated, be funded in accordance with their functions, and be fully transparent and accountable for their actions and expenditure. As a middle income country, Nigeria is better placed than many nations to respond effectively to the current displacement crisis. However, to date resource allocation has been insufficient and assistance to internally displaced persons inadequate. International humanitarian partners are called upon to fill the immense gaps in the crisis response, although their own capacity is severely constrained by shortage of capacity, resources and funds. The international community must enhance its already generous support to the humanitarian community for its essential work.**

72. **While security measures are legitimate and necessary in the light of Boko Haram tactics, those measures must be proportionate and meet international standards, including for the treatment of detainees, particularly children. It is highly likely that men considered to be of fighting age are avoiding locations where internally displaced persons are living due to their fear of suspicion of being Boko Haram militants and the likelihood of detention. Allegations of mistreatment in detention by the security forces, while not verified and denied by authorities, have fuelled that concern. It must be recalled that the vast majority of internally displaced persons are innocent victims of the insurgency and counter-insurgency measures. While the security forces have human rights advisors within their ranks and conduct training, more must be done to ensure compliance with the law and to protect civilians.**

73. **The main responsibility for the displacement crisis lies with Boko Haram and its campaign of terror. However, the wider causes of the insurgency and the subsequent conflict and displacement crisis must be acknowledged and addressed to ensure a future of stability, peace and prosperity for the north-east. In order to avoid renewed conflict and displacement, it is vital to meet the challenges of underdevelopment, poverty, access to education, unemployment and poor governance that contributed to the creation of Boko Haram and the spread of its influence. That requires long-term solutions that provide justice for victims and durable solutions for internally displaced persons and a process to promote reconciliation and prevent violent extremism.**

B. Recommendations

74. **The Special Rapporteur makes the following recommendations. The Federal Government of Nigeria should:**

(a) Adopt as a priority a legal and policy framework for the protection of the human rights of internally displaced persons in conformity with international and regional standards, including the Guiding Principles on Internal Displacement, the Framework on Durable Solutions for Internally Displaced Persons and the Kampala Convention;

(b) Expedite and finalize tripartite agreement with neighbouring countries to facilitate safe and dignified return of refugees with the support of UNHCR;

(c) Strengthen the institutional framework for responses, including by enhancing capacity and funding, better defining roles and responsibilities and improving cooperation and coordination across bodies and between national and State actors;

(d) Consider the establishment of a ministry for humanitarian affairs or a similar high-level institution with a dedicated mandate to comprehensively address the situation of internally displaced persons;

(e) Increase national funds for assistance to internally displaced persons and displacement-affected communities, reconstruction and development-based responses to ensure durable solutions. A positive step would be to guarantee a percentage of national revenues for crisis responses;

(f) Improve access by humanitarian actors, with appropriate security in place, to all areas, including newly recovered areas, in which internally displaced persons and conflict-affected communities are highly vulnerable, and establish supply routes;

(g) Facilitate freedom of movement, especially for those living in camps to leave and return freely. While security measures are legitimate, easing restrictions on movement allows internally displaced persons to exercise their basic rights and seek economic opportunities;

(h) Conduct comprehensive profiling and assessments within and outside camps to identify the protection needs of internally displaced persons, including the most vulnerable such as unaccompanied children, older persons and persons with disabilities;

(i) Ensure to the fullest extent possible the civilian character of camps for internally displaced persons and the transfer of camp management to appropriate and trained civilian humanitarian personnel as soon as possible;

(j) Ensure that all members of security services comply with domestic and international law and benefit from good practices in the treatment of internally displaced persons, including training and deployment of female personnel to engage the large number of internally displaced women;

(k) Strengthen prevention and response measures on violence against women and girls, and prosecute those responsible for violations; give roles to women in camp management and distribution; ensure that water collection and bathing facilities are safe; and put in place rigorous protection monitoring and complaint processes;

(l) Enhance protection and support, including medical and psychosocial support, to displaced children, particularly unaccompanied and traumatized children and those who have been forcibly recruited or abducted and refrain from any unjustified detention of children and their detention in adult facilities;

(m) Ensure that a strategy is in place to increase access to the majority of internally displaced persons who are outside camps, including information and outreach projects, food and non-food item distribution points, and measures to identify the most vulnerable internally displaced persons;

(n) Take measures to ensure that internally displaced persons have access to civil identity and other documentation required to ensure their access to assistance and service provision;

(o) **Engage business and civil society actors in Nigeria to enhance their role in the humanitarian and recovery responses, including through direct assistance and donations and the coordination of national appeals;**

(p) **Ensure that screening and detention of internally displaced persons is justified and in compliance with international standards relating to detention, including conditions and duration of detention and access to legal assistance. The security forces should establish guidelines to allow civilians to have access to services during the screening process;**

(q) **Ensure the systematic and disaggregated collection of information on missing and deceased persons, including the development of a database in order to open cases with a view to identifying the whereabouts of family members, including children;**

(r) **In view of the significant human rights and protection challenges, a human rights monitoring mission under the auspices of OHCHR should be agreed to and rapidly deployed to the north-east;**

(s) **Ensure that return of internally displaced persons to their places of origin takes place voluntarily, with full information provision, and in conditions of security, dignity and appropriate support, particularly for women, children and other vulnerable groups;**

(t) **In collaboration with development partners, initiate as soon as possible a durable solution and development strategy for internally displaced persons, including reconstruction of affected areas, resilience building and recovery projects and measures to re-establish livelihoods, to ensure rapid progress beyond the emergency response phase;**

(u) **Establish consultation and participatory mechanisms to ensure that internally displaced persons are fully involved in decisions that affect them, including durable solutions options available to them;**

(v) **Facilitate and support a full investigation into possible violations of international humanitarian and human rights law and possible war crimes and crimes against humanity committed by Boko Haram members and any other actors accused of crimes, including members of the Nigerian security forces;**

(w) **Establish measures leading to an effective transitional justice process for victims and a peacebuilding process, ensuring that internally displaced persons are fully involved in such initiatives;**

(x) **Continue working to resolve all situations of internal displacement in Nigeria and maintain support for internally displaced persons until durable solutions are achieved for them.**

75. **The Special Rapporteur considers that the United Nations and the international community should:**

(a) **Respond fully and rapidly to requests for humanitarian funding and material assistance across all humanitarian sectors to ensure that the 2017 Humanitarian Response Plan is fully funded and financial pledges delivered;**

(b) **Assist national actors in the collection of data on internally displaced persons and profiling of displaced populations and humanitarian and protection concerns and strengthen coordination of protection actors;**

(c) **Ensure provision of adequate resources to facilitate access to essential services for internally displaced persons, as well as to strengthen the prevention and response mechanisms on violence against women and girls;**

(d) **Support the Government in the development of solutions strategies and integrate durable solution approaches for internally displaced persons as early as possible in the displacement crisis, as part of the protection and assistance response to displacement;**

(e) **Promote the engagement of international development partners and the implementation of development approaches and assist the Government in the implementation of measures to support durable solutions for internally displaced persons and a regional reconstruction and development plan;**

(f) **Support the strengthening of international human rights monitoring mechanisms in collaboration with national human rights institutions and human rights protection systems;**

(g) **Support through technical cooperation measures in the field of transitional justice, community reconciliation and peacebuilding, initiatives to ensure justice and compensation for internally displaced persons and other affected communities and to prevent future conflict and displacement.**